

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: September 27, 2017

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UNITED STATES OF AMERICA

: 17 Cr. 350 (KBF)

- v. -

: ORDER

EREKLE KERESELIDZE,

: Defendant.

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**KATHERINE B. FORREST**, United States District Judge:

The Court has received the attached notification from Pretrial Services that the defendant has not complied with the terms of his pretrial release. A Bail revocation Hearing is scheduled for Tuesday, October 3, 2017, at 1:00 p.m.

The defendant should be prepared for the possibility for an immediate remand into custody.

SO ORDERED:

Dated: New York, New York  
September 27, 2017



KATHERINE B. FORREST  
United States District Judge

**U.S. Pretrial Services  
Southern District of New York  
MEMORANDUM**

**DATE:** September 25, 2017

**TO:** Honorable Katherine B. Forrest  
United States District Judge

**FROM:** Andrew R. Kessler-Cleary  
United States Pretrial Services Officer

**SUBJECT:** Erckle Kereselidze  
17-CR-00350-24

**VIOLATION REPORT**

This memo will serve to provide the Court with updated information as to the defendant's adjustment while under Pretrial Services supervision.

On June 9, 2017 the above-named defendant was arrested and charged with 18 USC 1028A.F - Fraud with Identification Documents (Identity Fraud Conspiracy).

On that same date, the defendant made his initial appearance before United States Magistrate Judge Gabriel W. Gorenstein and bail was set as follows:

- \$200,000 PRB
- 3 FRP
- Surrender travel documents and no new applications
- Travel restricted to the SDNY & EDNY
- Pretrial supervision as directed by Pretrial services
- Drug testing/treatment as directed by Pretrial Services
- Do not possess any firearms or other weapons

The defendant was released on the same day and remaining conditions were to be satisfied by 6/16/17. On that same date, the defendant also entered a plea of not guilty.

On June 26, 2017, the defendant had his initial meeting with the undersigned Pretrial Services Officer, at which time his conditions of release were reviewed with him and were signed by both the defendant and myself.

On July 10, 2017, an initial urinalysis was conducted, which was returned negative.

On July 24, 2017, the defendant was enrolled in Pretrial Services' random drug testing program.

On August 10, 2017, the defendant reported for random drug testing and submitted a sample which tested positive for cocaine.

On August 14, 2017, the defendant reported to Pretrial Services and was confronted about the positive urinalysis submitted on August 10. The defendant stated that he was at a party and did not recall using any drugs. He did state that he had been drinking and is possible that he used but just did not remember. He further advised that he is not a drug user and that that positive result was an anomaly for him. The defendant was admonished for his drug use and in response to his positive drug test, was increased to a higher level of reporting and testing. The defendant indicated to Pretrial Services that he would not be positive again and did not believe that he needed any form of drug treatment.

On August 15, August 29, September 7 and September 13, 2017, the defendant reported for drug testing and all test results were negative.

On September 22, 2017, the defendant reported for drug testing and submitted a urinalysis which was positive for both cocaine and opiates.

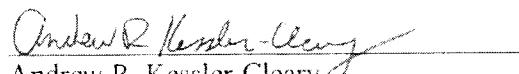
On September 25, 2017, the defendant reported to Pretrial Services. He was confronted about his positive drug test and was told that he would be tested. In response, the defendant admitted to using drugs at a party over the weekend and indicated that the urinalysis taken that day would be positive for Adderal, marijuana and ecstasy. He further advised Pretrial Services that the urinalysis would not be positive for any other drug. It is also noted that the defendant stalled his urinalysis on two occasions and only submitted a sample on the third attempt, approximately two hours after he initially signed an admission form. The aforementioned urinalysis was returned positive for marijuana, amphetamines and cocaine. It is noted for Your Honor that in the defendant's September 25 admission form, he admitted only to the use of marijuana and amphetamine, not cocaine, and he expressly denied the use of any other drug, including cocaine.

Pretrial Services respectfully submits this memo to Your Honor and requests that a hearing be scheduled to address the defendant's drug use.

An updated criminal record check was conducted, which did not reveal any new arrests. A status conference has been scheduled for December 8, 2017.

Pretrial Services has advised AUSA's Andrew C. Adams and Andrew M. Thomas, as well as defense counsel Glen G. McGorty that a memo would be forthcoming.

Respectfully Submitted,

  
Andrew R. Kessler-Cleary  
U.S. Pretrial Services Officer

Reviewed by:



Regina M. Joyner  
2017.09.26 12:27:53  
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Regina M. Joyner, Supervisory  
U.S. Pretrial Services Officer

cc: Andrew C. Adams, Assistant U.S. Attorney  
Andrew M. Thomas, Assistant U.S. Attorney  
Glen G. McGorty, Defense Counsel